



HELSINKI COMMISSION HEARING

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Testimony :: Azra Junuzovic

Deputy Chief of Tolerance and Non-Discrimination Unit - Organization for Security and Cooperation in Europe

The Tolerance and Non-Discrimination Department focuses on increasing the implementation of OSCE participating States commitments to effectively prevent and respond to hate-motivated crimes and incidents. The Department also works with civil society organizations to build their capacity to recognize and monitor hate crimes. Furthermore, the Department also assists States to promote mutual respect and understanding, notably Holocaust remembrance.

Hate Crimes and Combating Intolerance and Discrimination

Hate Crime - In line with its mandate, ODIHR has been collecting information on hate motivated crimes and incidents and responses to this phenomenon since 2008. ODIHR makes this information accessible on its website www.hatecrime.osce.org, which was launched on 17 June. ODIHR's website reveals substantial gaps in reported official data on hate crime covering 2009-2013, underlining systematic under-reporting and under-recording of this phenomenon across the region. At the same time, reports by civil society, international organizations and the media confirm that hate-motivated incidents are still a matter of concern. In 2014, 28 participating States and 105 non-governmental organizations from 40 participating States submitted information to ODIHR. The website aims to further publicize information received from participating States. Its aim is to reach out to new audience, garner the interest of experts and civil society and attract attention to this issue. Based on its findings, ODIHR provides a key observation for each participating State. ODIHR is currently processing information for the 2013 edition of the report. In 2014, ODIHR will hold a training of trainers for OSCE, UNHCR and IOM field operations and organize annual meeting for National Points of Contact on Hate Crime from OSCE participating States.

Combating Intolerance and Discrimination – In the spring, ODIHR organized two focus groups to obtain more information about experiences of discrimination and hate crimes by women of African Descent and Muslim women. As a follow-up to these events, ODIHR is planning to organize a train-the-trainer session for female civil society activists to build their capacity to raise awareness and speak about the issue of hate crime. Many activists noted the need to build effective relationships between public authorities and affected communities. To that end, ODIHR is piloting an activity in Austria. ODIHR is also planning to organize a focus group to obtain more information about experiences of racism. In April, ODIHR, in collaboration with the Swiss Chairmanship, organized an expert conference on the security of Muslim communities. This event followed on similar event organized under the Ukrainian Chairmanship in 2013. The upcoming OSCE Chair has expressed interest in organizing a

similar conference on the security of Christian communities in 2015, as attacks on religious property and community centres remain a matter of concern. ODIHR organized two training events in Moldova and Italy to build the capacity of civil society organizations. ODIHR is also planning on organizing a training workshop for civil society in Poland.

Activities to Improve Government Response

Data collection – In 2014 ODIHR will publish *Hate Crime Data-Collection and Monitoring Mechanisms: A Practical Guide*. Through ten practical steps, this publication gives suggestions to policy makers, criminal justice officials and civil society on how to improve their hate crime data collection mechanisms.

Legislation - ODIHR continues to distribute *Hate Crime Laws: A Practical Guide*. Approximately 6,000 copies of the Guide have been distributed so far. It is available in six languages. In the last two years, despite ODIHR's efforts, no new requests have been received to review legislation.

TAHCLE - Training against Hate Crime for Law Enforcement (TAHCLE) builds on ODIHR's previous training programme named Law Enforcement Officers Programme (LEOP), which was implemented in Croatia and Poland. It is a short, compact and flexible training designed to be integrated with other training efforts, drawing on existing resources and curricula of police training institutions.

In Poland, TAHCLE was used to update the curriculum and training of around 70,000 police officers on how to recognize hate crimes. In Bulgaria, the Ministry of Interior signed the Memorandum of Understanding with ODIHR in 2011. The implementation in Bulgaria included the delivery of a training of trainers, the inclusion of TACHLE in the national curriculum for police cadets and for investigators. Following the implementation, ODIHR evaluated the programme and the results were presented to the Ministry of Interior in March 2014. In total, about 3000 Police officers were trained. ODIHR is discussing follow-up activities with the Bulgarian authorities and civil society organizations. As a follow-up to TAHCLE and as a part of a comprehensive approach to address hate crimes, ODIHR also trained civil society organizations in Bulgaria in 2013.

In Ukraine, ODIHR and the Ministry of Internal Affairs signed a Memorandum of Understanding to implement TAHCLE in 2012. In 2012-13, ODIHR took part in the work of the National Implementation Working Group (NIWG) tasked with customizing the curriculum. ODIHR has already customized the curriculum and facilitated consultation between Polish and Ukrainian officials to share experience of how TAHCLE was successfully implemented in Poland. Political turmoil at the end of 2013 led to the suspension of activities and ODIHR is now re-establishing contacts with authorities.

Montenegrin Police Academy signed the Memorandum of Understanding to implement TAHCLE in 2013 and the training of trainers session took place in November to equip 16 trainers with necessary skills to cascade the training. ODIHR conducted a follow-up visit in

April 2014 to monitor implementation. TAHCLE has become an integral part of the Police Academy curriculum. Several workshops and meetings were conducted to share knowledge and skills acquired during the training. As a follow-up to TAHCLE and as a part of a comprehensive approach to address hate crimes, ODIHR also trained civil society organizations in Montenegro in 2013.

The Italian Observatory for Security against Acts of Discrimination (OSCAD) signed a Memorandum of Understanding to implement TAHCLE in May 2013. So far, ODIHR conducted six half-day workshops and trained 160 National Police and Carabinieri officers. In July 2014, ODIHR conducted a training of trainers for 29 National Police and Carabinieri instructors, who will cascade the TAHCLE programme curriculum into their training institutions.

TAHCLE programme is being implemented in Kosovo since December 2011 by the OSCE Mission in Kosovo. Around 350 police officers have been trained up to date.

Finally, four other participating States have manifested interest in implementing TAHCLE. These include Albania, Latvia, Lithuania and the former Yugoslav Republic of Macedonia. ODIHR will seek to sign a Memorandum of Understanding with at least two of them in 2014.

Prosecutors - ODIHR and the International Association of Prosecutors have developed a practical guide for prosecutors entitled Prosecuting Hate Crimes: A Practical Guide. It will be published in October 2014. Additionally, ODIHR developed a training curriculum to build prosecutors' skills in investigating hate crimes. The newly created Prosecutors and Hate Crimes Training (PAHCT) programme will be implemented in a similar way to TAHCLE

Prosecutors training was first conducted in Kosovo and in Ukraine (Crimea) in December 2011. This was followed by a trial training of trainers in July 2012 in Warsaw. In 2013, ODIHR held workshops for judges and prosecutors, or prosecutors and investigators, in Bosnia and Herzegovina, Moldova and the former Yugoslav Republic of Macedonia. In 2014, ODIHR trained prosecutors in the Kosovo region and Serbia. Implementation of PAHCT and the signing of the Memorandum of Understanding is currently being discussed with Bulgaria. Montenegro and Greece have expressed interest in its implementation. In October 2014, ODIHR will deliver a workshop for Greek prosecutors.

Promoting Mutual Respect and Understanding, including Holocaust Remembrance

Participating States are committed to supporting education programmes on anti-Semitism and Holocaust education. Participating States have also committed to promote remembrance of the Holocaust. In this regard, participating States were encouraged to draw on ODIHR's expertise. ODIHR has developed technical-assistance programmes in co-operation with a number of partners, including the Task Force for International Cooperation on Holocaust Education, Remembrance and Research, the Yad Vashem International School of Holocaust Studies in Israel, and Anne Frank House in Amsterdam.

The following materials have been prepared by ODIHR:

- Teaching Materials to Combat Anti-Semitism –developed in co-operation with the Anne Frank House; they aim to raise awareness among students on stereotypes and prejudices against Jews. (available at <http://tandis.odihr.pl/?p=ki-as,tm>);
- The Guide Addressing Anti-Semitism: Why and How? A Guide for Educators, developed with Yad Vashem; the Guide provides educators with facts, background information and good practices regarding how to address anti-Semitism in the classroom. (available at <http://www.osce.org/odihr/70295>);
- Preparing Holocaust Memorial Days: Suggestions for Educators is a set of recommendations for teachers on how to plan commemoration activities connected with annual Holocaust Remembrance Days. The Guide will be updated in 2012 (available at <http://www.osce.org/odihr/17827>);
- Guidelines for Educators on Countering Intolerance and Discrimination against Muslims – developed with UNESCO and the Council of Europe: The Guidelines have been developed to support educators in primary and secondary education as well as in non-formal education to counter intolerance and discrimination against Muslims. They are intended for education policymakers and officials, teacher trainers, teachers, principals and head teachers, staff in teacher unions and professional associations, and members of NGOs. (available at <http://www.osce.org/odihr/84495>)

Teaching materials on combating anti-Semitism are available in 15 languages and the implementation of teaching materials continues. In 2014, ODIHR supported the organization of a meeting for the Anne Frank House and partner organizations on designing online interactive tool on bias and discrimination. ODIHR is also preparing a brochure to publicize lessons learned on the implementation of the teaching materials. Currently, ODIHR is negotiating a Memorandum of Understanding with the Italian Ministry of Education.

Following the organization of three promotional roundtables, organized with the Council of Europe and UNESCO, ODIHR has presented the Guidelines to the Swedish authorities. ODIHR is now working with the Greek Ministry of Education to launch the Greek version of the Guidelines. In the fall, ODIHR and the Council of Europe will organize a workshop on combating hate speech and intolerance against Muslims aimed at assessing the scope of the issue.

Holocaust Memorial Days

In 2012, ODIHR published a report "Holocaust Memorial Days in the OSCE Region". It provides a country-by-country overview of the official commemorative activities that take place in OSCE participating States on Holocaust remembrance days. The publication shows that 37 OSCE participating States have established an official memorial day dedicated specifically to the Holocaust. ODIHR is preparing an updated version of this publication that

will be launched on 27 January, the International Day of Commemoration in Memory of the Victims of the Holocaust.

Activities in 2015

ODIHR will continue assisting OSCE participating States in meeting human dimension commitments in the field of tolerance and non-discrimination to address the issue of hate crime. ODIHR will also, upon request, assist OSCE participating States in reviewing legislation pertaining to hate crimes and their alignment with international standards and OSCE commitments. Activities will include roundtables, workshops and training to exchange good practice and experience. They will be conducted in close co-operation with OSCE Field Operations and external ODIHR partners.

ODIHR's priorities for 2015 include the delivery and implementation of TAHCLE and PAHCT training activities, enhancing co-operation with participating States by improving the number of countries that report to ODIHR on hate crimes and work with civil society, with a particular focus on women. ODIHR will also seek to engage and explore opportunities to work with parliaments to raise awareness about the role of parliamentarians in addressing hate crimes and reaching out to affected communities. ODIHR will also explore how to facilitate contact and dialogue between authorities and groups affected by manifestations of intolerance and hate crimes.

As regards promotion of mutual respect and understanding, ODIHR will work with at least one participating State and sign a Memorandum of Understanding to implement the teaching materials on combating anti-Semitism. ODIHR will also continue to work with Moldova and engage with another participating State to promote Holocaust remembrance. ODIHR will reach out to participating States to promote the use of the Guidelines for Educators on Countering Intolerance and Discrimination against Muslims and, pending availability of funds, engage with educators to explore the use of the Guidelines at the teacher training colleges.

Opportunities and Challenges

The OSCE emerged as the leading international organization in addressing hate crimes, intolerance and discrimination in the region. The tools developed by ODIHR and the recently launched hate crime reporting website have been recognized as unique resources available to participating States, civil society and experts and have furthered awareness-raising efforts on the dangers and impacts of hate crimes. ODIHR's training programmes, built on the principles of partnership, flexibility and collaboration, have attracted the attention of participating States.

However, despite these opportunities, the OSCE faces continuous challenges. Genuine political will to implement commitments to strengthen responses and prevention of hate crimes is lacking in many cases. Budgetary constraints hamper successful operation of ODIHR's programmes, in particular, TAHCLE, programmes for people of African descent and education activities on combating intolerance against Muslims.

Strengthening Tolerance and Non-Discrimination

Recommendations to enhance the role of tolerance and non-discrimination are related to providing additional resources for ODIHR's programmatic activities, particularly TAHCLE and PAHCT.

The Department's role should be strengthened to serve as a mediator and dialogue facilitator between authorities and civil society organizations to build trust and improve the security and stability of societies.

While ODIHR has a mandate to serve as a collection point on hate crimes, ODIHR could be given the mandate to examine its key observations and dialogue with authorities to identify potential mechanisms for implementation of commitments in this area which would not be dependent on a formal invitation from a participating State.

Annex

List of Planned Activities in 2014 and Tentative Planned Activities in 2015

16-17 January Presentation of the TAHCLE programme to the Latvian State Police and to the Latvian Police College, Riga

21 January Co-ordination meeting between the three Personal Representatives, the Chairmanship and ODIHR, Warsaw

26-29 January ODIHR/IHRA Roundtable on Holocaust Remembrance in Moldova, Chisinau

7 February Visit of the CiO Personal Representatives on Tolerance and Non Discrimination Issues to Switzerland, Geneva

7-11 February TAHCLE workshops on hate crime for Italian law enforcement, Rome

18-19 February Training Workshop on Hate Crime for Members of the Greek Racist Violence Recording Network, Athens

25-27 February Training of Trainers on Hate Crime against Muslims, Ankara

6-7 March Presentation of ODIHR's Hate Crime Justice Project Proposal to the Delegations, Vienna

17 March TAHCLE evaluation and prosecutor training in Bulgaria, Sofia

18 March Preparatory Committee Meeting and Human Dimension Committee; Presentation of

HCRW, Vienna

20 March Roundtable on International Day of Racism, presentation of projects on building the capacity of people of African Descent, Vienna

7-9 April Needs Assessment Mission on TAHCLE in FYROM, Skopje

12-15 April Training Workshop on Hate Crime for Members of the Greek Racist Violence Recording Network, Thessaloniki

24-25 April Meeting on PAHCT (Prosecutors Hate Crime Training), Podgorica

24-25 April TAHCLE follow up and training for prosecutors, Podgorica

27-30 April Country visit of the CiO Personal Representative on Combating anti-Semitism to Ukraine, Kiev

28 April Enhancing Law Enforcement - Community Cooperation in Combating Hate Crimes against Muslims expert meeting, Vienna

13 May Muslim Women Focus Group Meeting, Warsaw

20-21 May Hate crime data collection training and workshop, Pristina

27-29 May Kosovo training prosecutors, Pristina

29-30 May Women of African Descent Focus Group Meeting, Warsaw

9-10 June Training on Hate Crime with Moldovan Ombudsman's Office, Chisinau

11-12 June Civil society training on hate crime, Chisinau

11-13 June Prosecutors training, Belgrade

19-20 June Visit of the CiO Personal Representatives on Tolerance and Non Discrimination Issues to CoE, Strasbourg

30 June – 1 July Training on Combating Hate Crimes for Civil Society Representatives, Rome

2 – 4 July TAHCLE Training, Rome

20-23 July Visit of the CiO Personal Representatives on Tolerance and Non Discrimination Issues to the United States, Washington DC

22-25 July TAHCLE Training-of-trainers, Warsaw

21-22 August OSCE Missions, UNHCR and IOM Hate Crime Training, Warsaw

10-11 September Visit of the CiO Personal Representatives on Tolerance and Non Discrimination Issues to Denmark, Copenhagen

28-30 September Training of Trainers on hate crimes for women activists, Warsaw

30 September Presentation of data collection guidelines, Warsaw

15 October Workshop to present the Greek version of the Guidelines on Intolerance against Muslims

28-29 October Focus Groups on Racism, Warsaw

29 October Presentation of Prosecutors guidelines on hate crimes, Washington DC

30 October Follow-up meeting on ODIHR/IHRA Roundtable on Holocaust Remembrance in Moldova, Chisinau

30-31 October PAHCT training in National School of Judges and Racism conference, Thessaloniki

12-14 November Berlin High Level Commemorative Event on anti-Semitism

13-14 November Annual meeting of National Point of Contact on Hate Crime. Warsaw

28 November Training on Combating Hate Crimes for Civil Society Representatives, Warsaw

10-12 December Training of Trainers for prosecutors' trainings